

**PLANNING STAFF REPORT
ZONING TEXT AMENDMENT
COLLECTOR STREET PLAN AMENDMENT**

SUMMARY:

Hearing Date: November 1, 2016 Planning Board
November 21, 2016 Board of Commissioners
Applicant: Pender County
Case Number: ZTA 397-2016
Collector Street Plan Amendment

Text Amendment Proposal: Pender County, applicant, is requesting a Zoning Text Amendment to the Pender County Unified Development Ordinance Section 7: Design Standards and Appendix A: Definitions. Specifically, the amendment proposed is to amend the access standards related to subdivisions on collector streets, add alternative design street standards and associated definitions.

RECOMMENDATION

At their November 1, 2016 meeting, the Planning Board unanimously recommended the approval of the zoning text amendment and the Pender County Collector Street Plan Map amendment as described in this report. Therefore these amendments are recommended for approval of the Zoning Text Amendments to the Unified Development Ordinance as described in this report, as they have been vetted by the Text Amendment Subcommittee of the Planning Board and stakeholder groups. The amendments as proposed are consistent with other areas of the Pender County Unified Development Ordinance and with the 2010 Pender County Comprehensive Land Use Plan. There are no known conflicts with any other approved plans. The amendments are supported by two (2) goals and eight (8) policies in the 2010 Pender County Comprehensive Land Use Plan.

HISTORY

The Pender County Collector Street Plan was adopted March 21, 2016. In order to enforce the recommendations of the Collector Street Plan, the language in the Unified Development Ordinance must be updated. There have been two (2) previous zoning text amendments (ZTAs) to update the UDO from recommendations of the Collector Street Plan;

1. The TIA requirement was modified to 100 trips in the AM or PM Peak hours or 1,000 daily trips, and the update of the plan name to Pender County Collector Street Plan in various locations of the UDO.
2. The addition of the spacing standards and exceptions into Section 7.5.1 to ensure that the recommended collector streets from the plan are included into site designs to conform to the layout of streets as to arrangement, width, grade, character, and location.

The Pender County Collector Street Plan was designed to reduce dependence on thoroughfares within Pender County where congestion is regularly experienced. Additionally, by creating a network of collector streets, the County is seeking to improve pedestrian and bicycle connections through responsible street design principles. The County is also working to improve overall mobility, increase trip route choices and preserve the region's quality of life. The principle of the Pender County Collector Street Plan is to make a connection; these documents do not seek to predetermine a specific route. The emphasis is, therefore, on connectivity and not

alignment. The specific location of future collectors and the timeframe in which they will be constructed will be determined by future development.

Meetings

The zoning text amendments as described in this report have been vetted with the citizens of Pender County, the Planning Board and stakeholder groups at the following meetings:

1. August 26, 2016 Zoning Text Amendment Subcommittee of Planning Board
2. September 28, 2016 Zoning Text Amendment Subcommittee of the Planning Board
3. October 4, 2016 Planning Board Work Session
4. October 11, 2016 Stakeholder Meeting
5. October 18, 2016 Special Planning Board Meeting

AMENDMENT DESCRIPTION

The proposed amendment includes categorizing the roadways included in the Collector Street Plan into a hierarchy system (Major Collector, Minor Collector and Local Collector) and then adding specific language in the Unified Development Ordinance as to the standards for subdivision on the collector streets. This language is included as an update to Section 7 in numerous places and can be seen in Attachment 1.

Standards for Development of Hierarchy

1. Distance

Type of Collector Street	Distance Measured of Segment (in Miles)
Major	4 or greater
Minor	2-4
Local	2 or less

2. In measuring distance of collector streets, the roadways do not cross arterial roadways (US HWY 17 or NC 210)
3. Segment directly connects from a major collector street to an arterial roadway and the roadway meets at the arterial to form an intersection, then the collector roadway shall be categorized to the next level to increase mobility. The next level will be maintained until the next intersection.
4. Continue to plan for inclusion of the Hampstead Bypass (R-3300) interstate facility.

The map, including all the existing and proposed collector streets with the hierarchy standards, can be seen as Attachment 2. This hierarchy map will be inserted to the Pender County Collector Street Plan as an amendment for the Planning Board's consideration.

Standards on Collector Streets

In conjunction with the hierarchy map in the Pender County Collector Street Plan, the Unified Development Ordinance must be updated to specifically address standards on collector streets as the current Unified Ordinance language in Section 7 prohibits individual driveway access from arterial, major or minor collector streets;

7.2.6 Lots on Thoroughfares

Major or minor subdivisions shall not be approved that provide for individual residential lots to access Principal Arterial, Minor Arterial or Major Collector roads or streets as shown on the Pender County Collector Street Plan, Pender County Transportation Plan or other approved State Transportation Improvement Plan.

7.2.7 Lots on Collector Streets

Major subdivisions shall not be approved that provide for individual residential lots to access Minor Collector roads or streets as shown on the Pender Collector Street Plan, Pender County Transportation Plan or other approved State of Federal Transportation Improvement Plan.

As the goal is to balance access and mobility on both existing and proposed collector streets; not all collector streets will function in the same manner. A major collector street shall favor mobility over access, while a local collector street will favor access over mobility. Specific standards proposed are;

7.2.6 Lots on Arterial Streets

Subdivisions shall not be approved that provide for individual lots to access Principal or Minor Arterial roads or streets as shown on the Pender County Collector Street Plan, Pender County Comprehensive Transportation Plan or other approved State Transportation Improvement Plan as amended.

7.2.7 Lots on Collector Streets

Subdivisions shall not be approved that provide for individual lots to access Major or Minor Collector roads or streets as shown on the Pender Collector Street Plan, Pender County Comprehensive Transportation Plan or other approved State of Federal Transportation Improvement Plan as amended.

- A) *Collector Streets - Major: Major Collector Streets shall preserve mobility of the transportation network and individual driveway access shall be prohibited, all individual lots shall have access to a public or private street.*
- B) *Collector Streets - Minor: Minor Collector Streets shall balance mobility and access and individual driveway access shall be prohibited. Access to individual lots shall be demonstrated through other public or private streets or Alternative Design Streets as demonstrated in Section 7.5.3.F.*
- C) *Collector Streets - Local: Local Collector Streets shall be designed as to provide increased access to individual lots. Local Collector Streets are intended to feed into the larger transportation network and should be designed as to limit speeds and be circuitous in nature. Individual lot access shall be permitted.*

Alternative Design Streets

The Unified Development Ordinance language, as proposed, for the minor collector streets requires that alternative design streets, public, or private streets connect to the minor collector street, not individual lots. Alternative design street standards have been added to Section 7.5.3 Private Streets;

Alternative Design Streets: Alternative Design Streets are intended to provide individual lot access to structures in order preserve the mobility of the transportation system. The alternative designs presented are not intended to limit the design of shared access and consultation with the Administrator should be had prior to development submittal.

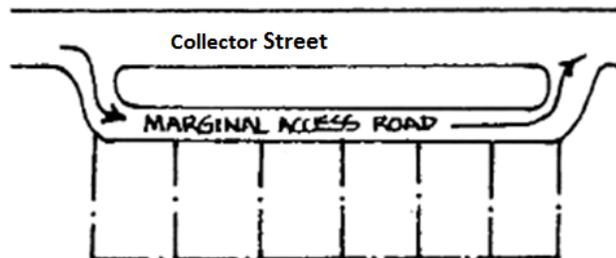
Alternative design streets must have standards incorporated in order to ensure safety of the traveling public, the proposed subdivision and future residents of Pender County. Below are the proposed standards for alternative design streets as discussed with the Planning Board at their special meeting held October 18, 2016;

- a. *All alternative designed streets shall adhere to design requirements as outlined with the current NCDOT Subdivision Roads Minimum Construction Standards with the exception of the following;*
 - i) *Length of roadway shall not exceed five-hundred (500) feet or provide access to more than twelve (12) lots.*
 - ii) *Width of easement or right of way shall be at least twenty (20) feet with a twelve (12) foot minimum pavement width*
- b) *Alternative design streets must connect to two (2) public or private streets and shall not dead-end or stub*
- c) *Sharp changes in alignment and grade shall be avoided*
- d) *Distance separation of alternative design streets shall be no less than 500 feet from the point of access on the public or private right of way*
- e) *One way traffic shall be considered for all alternative design streets*

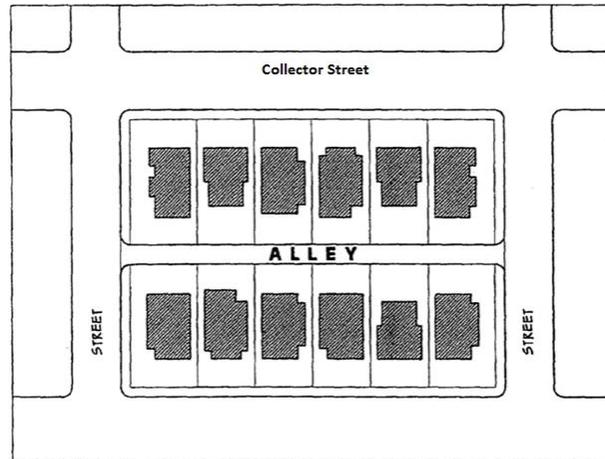
Two examples of alternative design streets shall be incorporated into the Unified Development Ordinance in an effort to provide clarity and standards not intended to limit design or potential alternative design street types not listed.

f.) Alternative Design Street Examples

i. Marginal Access Road: a street parallel and adjacent to public or private streets (while physically separated from it) which provides both access to abutting properties and controlled access to the public or private street.



ii) Alley: A strip of land owned publicly or privately, set aside primarily for vehicular service access to the rear or side of property otherwise fronting on a street of a higher classification. Alleys shall be used to serve lots as part of an interconnected street system, alleys provide access to property but are not intended to accommodate through traffic.



iii) Additional alternative design streets may be approved by the Administrator if the alternative design presented promotes shared access to collector streets rather than individual lot access. The Administrator may approve other designs based on: safety, topography, environmental conditions, or other appropriate criteria.

EVALUATION

As prescribed in the Pender County Unified Development Ordinance Section 3.18.5, in evaluating any proposed Ordinance text amendment, the Planning Board and the County Commissioners shall consider the following:

- 1) The extent to which the proposed text amendment is consistent with the remainder of the Ordinance, including, specifically, any purpose and intent statements;
- 2) The extent to which the proposed text amendment represents a new idea not considered in the existing Ordinance, or represents a revision necessitated by changing circumstances over time;
- 3) Whether or not the proposed text amendment corrects an error in the Ordinance; and
- 4) Whether or not the proposed text amendment revises the Ordinance to comply with state or federal statutes or case law.

In deciding whether to adopt a proposed Ordinance text amendment, the central issue before the Planning Board and County Commissioners is whether the proposed amendment advances the public health, safety or welfare and is consistent with any adopted County Land Use Plan documents and the specific intent of this Ordinance.

2010 Comprehensive Land Use Plan Compliance

There are no conflicting policies within any adopted land use documents for the proposed Zoning Text Amendment. This Zoning Text Amendment request is consistent with two (2) goals and eight (8) policies of the 2010 Comprehensive Land Use Plan and conflicts with none. The following goals and policies within the plan may be relevant to the proposed Zoning Text Amendment:

Growth Management Goal 1A.1 Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.

Policy 1A.1.4 The County should develop and utilize innovative and flexible landplanning techniques that encourage developments to efficiently use land resources that result in more compact urban areas, infill development, redevelopment, and the adaptive re-use of existing buildings.

Policy 1A.1.5 The County supports a pro-business/pro-growth attitude, balanced by a concern for preserving the natural assets and quality of life factors that make the area attractive to visitors and permanent residents alike.

Emergency Services Goal 2E.1 Ensure adequate response times and capabilities of Sheriff, Police, Fire and Emergency Medical Services.

Policy 2E.1.1 Coordinate plans for Emergency Services, Fire and Emergency Medical Service facilities with the Comprehensive Land Use Plan, Transportation Plan and Metropolitan Planning Organization requests for Transportation Improvement Program funding.

Policy 3A.1.2 To the extent possible, incorporate more flexible zoning categories that establish performance standards and do not exclude uses as much as encourage compatible co-location of uses to encourage sustainable land use patterns. Neo-traditional or traditional neighborhood planning standards should provide for a compatible mix of uses to encourage more livable communities.

Transportation Goal 2B.1 Manage the timing, location and intensity of growth by coordinating transportation improvements in accordance with the Comprehensive Land Use Plan and the Coastal Pender Collector Street Plan.

Policy 2B.1.3 The County should utilize and promote a hierarchical, functional transportation system that prioritizes needed improvements, and promotes the proper arrangement of land use patterns to ensure and determine the proper levels of service (LOS) to reduce any associated negative impacts to the overall transportation network.

Policy 2B.1.4 Adopt regulations that require new developments and individual sites throughout the County to provide vehicular and pedestrian interconnectivity to existing or planned adjacent sites and adjoining developments.

Policy 2B.1.10 Allow and encourage flexible road design standards, incorporating low impact development and smart growth principles

There are no conflicting policies in the 2010 Comprehensive Land Use Plan.

RECOMMENDATION

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BOARD ACTION FOR ZONING TEXT AMENDMENT

Motion: John Fullerton **Seconded:** Sonya Edens

Approved: x **Denied:** **Unanimous:** x

Williams: x Fullerton: x Baker: x Carter: x Edens: x McClammy: Nalee:

BOARD ACTION FOR COLLECTOR STREET PLAN AMENDMENT

Motion: Sonya Edens **Seconded:** Andrea Carter

Approved: x **Denied:** **Unanimous:** x

Williams: x Fullerton: x Baker: x Carter: x Edens: x McClammy: Nalee: